

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Vice Chairman Verdell Jackson, on February 12, 2009 at 9 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Verdell Jackson, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. Joe Balyeat, Chairman (R)
Sen. Jim Peterson (R)
Sen. Joseph (Joe) Tropila (D)

Members Absent: None.

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 371, SB 373, 2/5/2009

Executive Action: None

HEARING ON SB 371

Opening Statement by Sponsor:

00:02:30 Sen. Gary Perry (R), SD 35, opened the hearing on SB 371, Clarify applicability of "at work" for work comp purposes.

00:04:58 Sen. Windy Boy left the room.

Proponents' Testimony:

00:05:15 Jacqueline Lenmark, American Insurance Association, also speaking for Bruce Spencer, Property Casualty Insurance Association

00:08:41 Larry Jones, Liberty Northwest Insurance

00:16:34 John Bennion, Montana Chamber of Commerce

EXHIBIT (bus33a01)

00:21:04 Bill Squires, Blackfoot Telecommunications, Missoula

EXHIBIT (bus33a02)

00:25:38 Terry Kramer, Kramer Enterprises, Flathead Valley

00:28:56 Rick Hill, Montana Building Industry Association

00:35:25 Bob Worthington, Montana Self Insurers Association

00:36:36 Dick Anderson, Dick Anderson Construction, Helena

00:38:28 Sen. Tropila arrived.

00:41:43 Jeff Feiss, General Manager, Montana Telecommunications Association

00:42:33 Riley Johnson, National Federation of Independent Business

00:43:26 Spook Stang, Executive Vice President, Montana Motor Carriers Association, also representing Jason Todd, Montana Logging Association

00:44:28 Phil Maxwell, 3 Rivers Communications

EXHIBIT (bus33a03)

00:45:13 Bonnie Mayer, 3 Rivers Communications

EXHIBIT (bus33a04)

00:46:44 Marvin Jordan, Executive Director, Montana Contractors Compensation Fund (MCCF)

00:47:24 Margaret Morgan, independent contractors and Montana Energy Alliance

00:47:57 Joe Unterreiner, Kalispell Chamber of Commerce

00:49:12 Bruce Spencer, Montana Auto Dealers

00:49:48 David Smith, President and CEO, Bozeman Chamber of
Commerce
00:50:48 Allan Hulse, CEO Montana Municipal Insurance Authority
00:51:16 Leah Tietz, Montana University Workers Compensation
Program

00:51:25 Sen. Balyeat arrived.
00:52:22 Sen. Steinbeisser left the room.

00:53:33 Vanessa Clark, Helena Chamber of Commerce and Great
Falls Chamber of Commerce
00:55:23 Tim Fitzpatrick, Montana School Boards Association and
Montana Schools Group Insurance Authority
00:56:03 Kevin Braun, Montana State Fund

Opponents' Testimony:

00:56:44 Robert Johnson, Montana AFL-CIO
00:58:32 Andrea Olsen, Montana Trial Lawyers Association
01:05:11 Sen. Larry Jent, SD 32, Bozeman
01:07:12 Don Judge, Montana Injured Workers Resource Council
01:17:29 Justin Starin, self, Missoula lawyer
01:22:02 Jason Miller, United Brotherhood of Carpenters and
International Brotherhood of Teamsters
01:26:47 Sydney McKenna, President, Montana Trial Lawyers
Association

Informational Testimony:

01:29:09 Jerry Keck, Administrator, Employee Relations Division,
Department of Labor and Industry (DOLI)

EXHIBIT (bus33a05)

Questions from Committee Members and Responses:

01:33:24 Sen. Balyeat
01:40:32 Don Judge
01:41:15 Sen. Balyeat
01:43:41 Andrea Olsen
01:44:15 Sen. Balyeat
01:47:29 Justin Starin
01:47:52 Sen. Barkus
01:48:26 Sidney McKenna
01:49:38 Sen. Barkus
01:54:44 Justin Starin
01:55:03 Sen. Keane
01:58:11 Jerry Keck
01:58:58 Sen. Keane
01:59:54 Andrea Olsen

01:59:59 Sen. Keane
02:02:39 Jacqueline Lenmark
02:04:07 Sen. Keane
02:04:24 Sydney McKenna
02:05:28 Sen. Brown
02:07:59 Rick Hill

02:08:08 Sen. Steinbeisser arrived.

02:08:29 Sen. Balyeat
02:12:21 Rick Hill
02:12:42 Sen. Squires
02:16:56 Sydney McKenna
02:17:09 Vice Chairman Jackson
02:17:55 Jacqueline Lenmark

Closing by Sponsor:

02:20:19 Sen. Perry

02:29:26 Recess

02:35:40 Resume

Note: Sen. Balyeat assumed the Chair. Sen. Squires, Sen. Steinbeisser, Sen. Windy Boy, Sen. Barkus, Sen. Peterson were not in attendance for the start of this hearing.

HEARING ON SB 373

Opening Statement by Sponsor:

02:36:02 Sen. Gary Perry (R), SD 35, opened the hearing on SB 373, Revise firefighter laws.

Proponents' Testimony:

02:37:57 Brett Waters, Chief, Central Valley Fire District
[EXHIBIT \(bus33a06\)](#)

02:41:15 Bill Hanson, Attorney, Central Valley Fire District
[EXHIBIT \(bus33a07\)](#)

02:51:05 Sen. Keane left the room.

02:52:36 Brian Crandell, Assistant Fire Chief, Central Valley Fire District

02:53:26 John Culbertson, paid Firefighter, Central Valley Fire District

EXHIBIT (bus33a08)

02:56:31 Chris Eaton, self, RAE/Sourdough Fire Department

02:59:31 Leonard Lundby, President, Montana Fire Alliance

03:01:12 Rich Cowger, Fire Chief, Columbus Fire Department, and Acting Chief, State of Montana Fire Chiefs

03:02:43 Mike Doto, President, Montana State Volunteer Firefighters Association

Opponents' Testimony:

03:03:34 Kurt Bushnell, President, Montana State Firemens Association Local #613, member of International Association of Firefighters

03:05:00 Sen. Windy Boy and Sen. Jackson entered the hearing.

03:07:00 Doug Neil, Montana State Firemens Association

EXHIBIT (bus33a09)

03:11:27 Kim Flatow, Bureau Chief, Member Services, Public Employees Retirement Division, DOLI

03:12:03 Rick Ryan, Montana State Firemens Association, Butte-Silverbow firefighter

03:13:41 Matt Norby, Montana State Firemens Association, Bozeman firefighter

03:14:08 Jack Trethewey, member of Havre Fire Department

03:14:23 Chass Perkins, Montana State Council, International Association of Firefighters

EXHIBIT (bus33a10)

03:15:04 Jason Baker, Montana State Firemens Association representative, Great Falls

Informational Testimony: None

Questions from Committee Members and Responses:

03:16:04 Chairman Balyeat

03:18:42 Kurt Bushnell

03:19:29 Chairman Balyeat

03:21:10 Kim Flatow

Closing by Sponsor:

03:21:20 Sen. Perry

EXHIBIT(bus33a11) Pertains to SB 287 heard 2/9/09.

Note: SB 178 was withdrawn at the sponsor's request.

EXHIBIT(bus33a12)

ADJOURNMENT

Adjournment: 12:25 P.M.

Linda Keim, Secretary

lk

Additional Documents:

EXHIBIT ([bus33aad.pdf](#))